MASS. ED 21.2: M382/3

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Department of Education

Massachusetts Education Reform Act

Questions and Answers on School Councils

Updated

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Publication Number: 17613-19-3500-9/94-DOE

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The Commonwealth of Massachusetts
Department of Education

Robert V. Antonucci
Commissioner

October 1994

Dear School Council Members and Other Interested Parties:

School councils are at the heart of the Education Reform Law of 1993. They were among the first of the Education Reform provisions to be implemented. Councils also exemplify the spirit of the law which calls for collaboration and the involvement of all stakeholders, especially at the school site. As instruments of collaboration, councils are providing each school community with an opportunity to shape the direction that the school takes as it works to strengthen teaching and learning for the students at that school.

As we enter the second year of implementation of the Education Reform Act, we have updated the 1993 "Questions and Answers" booklet. This revised booklet includes an additional 15 frequently asked questions that surfaced during year one of Education Reform.

We hope that this "Questions and Answers" booklet is helpful as your school council engages in the important work of improving education for children in your community.

Best wishes for a successful school council and school year!

Robert V. Antonucci
Commissioner of Education

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ACKNOWLEDGMENTS

The Board of Education and the Massachusetts Department of Education thank Susan Freedman, Administrator, Center for Innovation and Ross Zerchykov, Education Specialist, for their work in preparing this booklet.

NOTE: Another Department of Education publication is available to assist school councils: **Needs Assessment: Process and Practices**, published Winter 1994.

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PART ONE: VISION

1. What is a school council?

A school council is a representative, school building-based committee composed of the principal, parents, teachers; community members and, at the secondary level, students, required to be established by each school pursuant to Massachusetts General Laws Chapter 71, Section 59C.

2. What is the reason the Education Reform Act calls for establishing school councils?

Teachers, parents, and community members can become more committed to improving the schools and more supportive of the public school system when they enjoy the opportunity to serve or be represented on a school council that has a role in shaping the policies and programs of the school. One Massachusetts school system, which instituted site-based decision making and school councils prior to the statewide mandate, includes the following preamble in its guidelines for councils:

> *Values behind site-based decision making through councils: [the council] improves student outcomes by uniting, in responsible participation, those closest to the teaching-learning relationship; [the council] creates through the development of a shared vision and planning a school environment which unites all members of the school community in a sense of belonging, commitment and growth.*

3. How does the councils' work relate to other provisions of Education Reform?

Councils are an integral feature of Education Reform and are the main instrument for practicing the participatory site-based management that is called for in the Education Reform Act. Each school's efforts and success in meeting statewide standards will be an important component of the school council's needs assessment. In addition, as councils assist principals in preparing the school improvement plan, they will have a role in shaping the school's achievement of the professional development and parent involvement goals of Education Reform.

4. What are the educational benefits of site-based decision making?

Site-based decision making places the school at the center of planning, goal setting, and budgeting for school improvement. It provides additional opportunities for teachers and administrators who are closest to the teaching-learning process to be innovative and creative. Site-based decision making also allows teachers and administrators to work with parents and the community to become more responsive to the needs of a particular school's population. For example, the teachers at a particular school may find that, because of the characteristics of their students, they have a need for a particular type of inservice training that is not offered or needed district-wide. Under site-based decision making, this school may be given the discretionary authority over staff development resources to meet this need.

5. How does the establishment of school councils enhance the benefits of site-based decision making?

School councils enhance site-based decision making because they expand the participation of the school community in its schools' decision making. The involvement of different groups on the council -- teachers, parents, and non-parent community members -- provides the school with different and mutually complementary perspectives on its improvement goals and plans. In addition, by involving people who work in and support the school in the development of the school's improvement plan, the likelihood will increase that the plan will be successfully implemented.

PART TWO: LEGAL RESPONSIBILITIES

A. Establishment of Councils

6. Are all schools required to establish a school council?

Yes. The law requires that there be a school council "at each public elementary, secondary and independent vocational school in the Commonwealth."

7. If a principal is responsible for more than one school, does a separate council have to be formed for each school?

The law requires each school to have a school council. If two school buildings are linked operationally -- for example, one principal is responsible for one building serving students in grades K-3 and a second building serving students grades 4-6, and the buildings are under a shared administration and a single PTO -- then a single school council may be formed to encompass both buildings. However, if the two buildings function as discrete schools -- for example, one principal is responsible for two K-6 elementary schools with separate administrations and separate PTOs -- then a separate council should be formed for each school.

8. If a school district has several small schools under the leadership of the same principal, must he/she be the chair of each school's council?

Yes. The law requires the principal to be one of the two co-chairs of the council. The other co-chair is to be selected by the council as a whole rather than appointed by the principal. Councils can set their own internal rules of operation, including rotating responsibilities for the co-chairs.

9. Who is responsible for organizing a school council?

The law explicitly gives the school principal responsibility for defining the composition and overseeing the formation of the council pursuant to a representative process approved by the superintendent and school committee. As co-chair of the council, the principal is also responsible for convening the first meeting of the council. At this meeting, the other co-chair is to be selected.

10. To whom do councils report?

Councils are to assist principals by reviewing the school building budget and developing the school improvement plan. Councils may also take on other responsibilities, including policymaking, as granted by the local school committee. Councils' school improvement plans are submitted to the local school committee for review and approval.

B. Membership Composition

11. Who is to be on the council?

The legislation specifies that the council is to consist of parents of students attending the school, teachers, and "other persons drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human service agencies or other interested groups, including those from school-age child care programs." Also, for schools containing any of grades nine to twelve, there should be at least one student on the council.

12. How many members should the council contain?

The law leaves it up to each principal, "pursuant to a representative process approved by the superintendent and school committee," to define the size and composition of the council. It does, however, make three stipulations about membership.

(1) Parents "shall have parity with professional personnel on the school councils." Regardless of the size of the council, the number of parent representatives must be equal to the number of teachers who serve on the council plus the principal.

(2) "Not more than fifty percent of the council shall be non-school members." "Non-school members" are defined as members who are "other than parents, teachers, students and staff at the school."

(3) The membership of school councils "should be broadly representative of the racial and ethnic diversity of the school building and community."

13. What is the reason for parity in representation among parents, community members, and school professionals?

The provision of "parity" is based on the experience of the Chapter 188 school improvement councils and the national research on effective school-community councils. Research on small group dynamics in groups that mix lay people (e.g., parents) and professionals has shown that when lay people are outnumbered they are not likely to articulate their special perspective as "customers" of the school. "Parity" provides a critical mass in which parents can feel comfortable in expressing their views while educators retain a strong voice on the council.

In situations in which differences of opinion are split along lay-professional lines, "parity" creates pressure for compromising and reaching consensus, since neither side can override the other with its numerical majority.

14. What is the term of office for council members?

The law silent on this issue, leaving it up to the individual principals to make this determination. For a discussion of the knowledge-base on effective school council functioning in the area of open-ended versus fixed terms of office, please see Question 50 below.

15. May non-classroom based school professionals serve in the "teacher" membership category on the council?

Yes, if they are elected by the faculty at the school. Other professional personnel -- resource room teachers, specialists, counselors, etc. -- provide services to students and bring another perspective to the council's discussions and planning process.

16. May other school staff serve on the council and, if so, in what membership category?

"Other school staff" includes custodians, lunchroom staff, and others who are not education professionals. Like non-classroom based education professionals, these people can provide an important perspective on the needs of the school and its students. Other school staff, who are not parents, teachers, or students at the school, may be appointed to serve as "other person" members. It is important, however, to maintain a balance so that the council's "other person" membership category is not filled exclusively or even predominantly by school employees.

17. May an individual who is a teacher at another school in the district serve as an "other person" community member of the council?

The law is silent on this matter. It defines the "other person" as someone who is "not a parent or teacher of students at the school." It further describes the "other persons" on the council as "drawn from such groups or entities as municipal government, business or labor organizations, institutions of higher education, or other interested parties." Therefore, a teacher or administrator from another school in the district who is a member of any of the groups enumerated above can serve as an "other person" on any school council. In filling these positions, it is important to maintain a balance in representation between educator and lay members of the council in order to adhere to the "parity" standard referred to in the law.

18. In what capacity may an individual who is both a parent and a teacher at the school serve on the council?

If a parent of a child attending the school also serves as a teacher at that school, that person can serve only as a **teacher member** of a council. An individual who is supervised and evaluated by the principal cannot be elected as a parent member of a council that is co-chaired by that same principal.

19. May substitute teachers serve on the council? In what capacity?

The law is silent on this issue. The language regarding membership categories uses three terms, more or less synonymously, to refer to educators at the school: "teachers," "staff at the school," and "school-based professionals." Because substitutes have varying relationships with the school, such as occasional temporary, temporary full-time, and permanent full-time, the issue regarding substitutes revolves around the nature of the service. A full-time substitute teacher may be elected as a teacher member of the council. A parent of a student at the school who occasionally works as a substitute teacher at that school may be elected as a parent member of a council if the substitute service really is occasional, e.g., if the total number of days that the parent/substitute teacher serves as a substitute at **that particular** school does not exceed 90 days (more than half of a school year). Because the most important judges of representation are those who are being represented, it makes sense to check with the electorate -- the other parents or teachers -- to determine if they are comfortable choosing a substitute teacher as one of their peer representatives.

20. May administrators other than principals serve on the council?

No. One obtains a seat on the council through election by one's peers (parents or teachers) or by appointment (as in the case of community members). However, administrators, such as department heads, may be defined as faculty members and serve as teacher representatives if they have no supervisory authority over other teachers. Similarly, an assistant principal may serve as a teacher member of the council if she/he fulfills regular classroom teaching duties, does not exercise any supervisory authority over teachers, and is represented by the same bargaining unit as the other teachers.

21. What is the school's responsibility for establishing councils that are broadly representative of the racial and ethnic diversity of the school community?

The law reads "school councils should be broadly representative of the racial and ethnic diversity of the school building and the community." Schools have an affirmative action responsibility to undertake the outreach needed to ensure an opportunity for all racial and ethnic groups to participate in the council. This responsibility may not involve setting quotas or developing proportional representation plans that guarantee seats on the council to members of particular racial or ethnic groups. There are, however, several strategies schools can pursue to enhance racial and ethnic representation. (See question 29 below.)

22. May the same individual serve as an "other person" member on a number of different school councils?

Yes. There is nothing in the legislative language that prohibits this practice. Schools and school systems that exercise this option will want to consider the value-added benefit of having key community resource people serving on multiple councils: will their time and energy be stretched too thin?

Service on multiple councils may make sense, however, in instances in which a business, human service agency, or higher education institution is part of a partnership consortium with several schools.

23. May school committee members serve on a council in the school district that is overseen by the school committee?

A school committee member who is a parent of a student attending a school can run and be **elected** to serve as a **parent** member of a council. It is contrary to the spirit of the law, however, for a school committee member to

be appointed to serve as an "other person" or public member of the council. The intent is to widen the base of citizen involvement and support for the school. School committee members are already involved at the highest level of local school governance and are not encouraged to serve on school councils.

C. Membership Selection

24. How are members to be selected?

The law provides local leeway in the election process. It does, however, affirm the principle of peer selection:

- Parent members are to be selected by the parents of students attending the school, in elections held by the local recognized parent-teacher organization.
- Teacher members are to be selected by the teachers in the school.
- The process needs to be fair, open and without the influence of the school committee, superintendent, or principal.

By extension, the spirit of the legislation and the experience of good practice suggest that student council elections or other representative processes be used to select the student member.

Non-school members may be recruited by principals directly or selected by the organizations that are invited to send representatives to the council.

25. What is the definition of a "parent-teacher organization?"

There are often several parent groups working in or with schools. Such groups may advise a particular program area, plan and implement special events, or function as subcommittees of larger groups. The parent-teacher organization that would be responsible for holding elections for parent representatives to the school council is that parent organization which is most representative of the entire parent constituency. The electing organization need to be open to **all** parents of **all** children in the school.

26. If a school has more than one parent-teacher organization, which organization holds the election of the parents to the council?

Schools that have more than one equally representative parent-teacher organization should determine a collaborative process for electing the parent

representatives on the council. Two or more organizations may collaborate to hold an open schoolwide election of parents.

The primary consideration is that the election of parents be as open and inclusive as possible. Any parent, regardless of membership in a parent-teacher organization, is free to (1) run for election to and (2) vote for parent representatives to the council.

27. What happens if there is no parent-teacher organization to hold the election of parents?

In such a case, the principal is responsible for developing a representative election process, subject to approval by the superintendent and school committee.

28. Do school committees have to review and approve the electoral process for all council members?

Yes. The law reads that "the principal, except as otherwise provided herein, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and school committee." In addition, when parent elections are held by a locally recognized parent teacher organization, these elections are held "under the direction of the principal." But the principal may not exert any influence over the nomination and election process.

29. In order to enhance representation, may parents and teachers be elected by "subgroups" within the parent or teacher community?

No. The election of parents and teachers must, by law, be open to all parents and teachers, respectively. However, to encourage representation that includes, for example, underrepresented parents or teachers from each grade in a school, the **nomination** process may be designed to yield candidates from the "subgroups." For example, a citywide school may hold nominating caucuses for parents from the north, east, south, and west quadrants of the city; the middle school may nominate teachers from each of the 5th, 6th, 7th, and 8th grades. In the **election** process, all parents must be able to vote for all parents and all teachers for the full slate of teachers. In addition, a slate of candidates that is nominated by caucuses should also allow candidates who are "at-large," and not nominated by the caucuses. In other words, a council may not have "reserved" seats for grade levels, "pods" or subgroups of either the teacher or the parent population.

D. Councils' Responsibilities: General

30. What are the main areas of responsibility for school councils?

The law outlines four major areas of responsibility for councils. School councils are to assist principals in:

(1) Adopting educational goals for the school that are consistent with local educational policies and statewide student performance standards

(2) Identifying the educational needs of students attending the school

(3) Reviewing the annual school building budget

(4) Formulating a school improvement plan

For any school that contains grades nine to twelve, inclusive, the council shall review the student handbook each spring to consider changes in disciplinary policy to take effect for the following school year. (See Appendix B)

In addition, the law states that "nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy; provided, however, that school council shall have no authority over matters which are subject to chapter one hundred and fifty E of the General Laws." (Question 34, below, addresses Chapter 150E.)

31. What is the council's role in the school budget?

The law specifies that the school council "shall assist [the principal] .... in the review of the annual school budget." This language refers to the school building budget, not to the district budget. "Review" means that the council and the principal read through documents that describe the budget in order to understand the implications for items in the school improvement plan that will be developed by the council. In many communities, the school budget is prepared by mid-year in order to allow for negotiation with other municipal agencies, i.e., finance committee, city council, town meeting. A council's review of the budget, therefore, enables it to predict better which improvement projects that require funding could be implemented in the next school year under a budget that was constructed in the previous fall. Also, in school districts that encourage building-based budget planning, a school's improvement plan objectives developed in any given year can guide the development of the school's budget in the next year. In these cases, the council's review of the budget helps in the implementation of the previous year's school improvement plan.

32. May councils make recommendations that pertain to district wide policies or to other schools in the district?

Yes. School councils may make recommendations, which would be non-binding, to school committees on issues that are of keen interest to the school and that have district-wide or multi-school implications. In addition, school committees have discretion in the responsibilities they give to councils through the provision of the law that reads: "Nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy."

33. What are some areas in which councils cannot be involved?

The law enables school committees to grant school councils additional authority in the area of educational policy except for matters covered by Chapter 15OE of the General Laws. Chapter 150E governs labor relations and collective bargaining for public employees including teacher contracts. This provision leaves such issues as compensation, workload, conditions of work and worker evaluation procedures subject to collective bargaining.

Good practice suggests that a council should not become involved as an ombudsman or a grievance committee in individual cases that involve students, parents, teachers and other school staff.

34. Does the prohibition against exercising authority over areas subject to Chapter 150E mean that councils' improvement goals and plans cannot make reference to school schedules?

Chapter 150E refers to the state statute governing collective bargaining for public employees. Normally, councils will not be involved with Chapter 150E because they will not be discussing employment or personnel issues. However, councils may make recommendations, such as changes in the schedule of a school day, that impinge on working conditions. When this occurs, the council's recommendations should acknowledge that the issues may be subject to collective bargaining.

E. Councils Responsibilities: School Improvement Plans

35. What are the elements of the annual school improvement plan?

The school improvement plan, as described in the legislation, has the following elements:

(1) An assessment of:

- The impact of class size on student performance
- Student-to-teacher ratios
- Ratios of students to other supportive adult resources

(2) A scheduled plan for reducing class size, if deemed necessary

(3) Professional development for the school's staff and the allocation of any professional development funds in the school budget

(4) Enhancement of parental involvement in the life of the school

(5) School safety and discipline

(6) Establishment of a school environment characterized by tolerance and respect for all groups

(7) Extra-curricular activities

(8) Means for meeting, within the regular education programs at the school, the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs

(9) Any further subjects the principal, in consultation with the school council, shall consider appropriate

In addition, in school systems with language minority populations, the professional development component of the council's plan shall address the need for teachers' professional development on second language acquisition and on working with culturally and linguistically diverse student populations. The spirit of the law calls for collaboration between the council and the principal. The principal needs to create an environment of openness, collegiality and respect for all participants.

36. When should the annual school improvement plans be submitted, and to whom?

Plans are submitted annually to the school committee. As reviewing and approving authorities, school committees have the discretion to set their own schedule and timelines for the submission and review of the improvement

plans. School committees are strongly encouraged to support the efforts of councils and work collaboratively with them.

37. May a school committee approve or disapprove parts of a school improvement plan?

Yes. Planning is a dynamic and interactive process. The process of review can be an ongoing conversation between the school committee and the school site councils in its school district. Unapproved elements of the plan can be sent back to the sites for further development and can be resubmitted in a revised form. Unnecessary barriers which hinder the process should be avoided.

38. May a school committee reject a council's plan even if nothing in it violates current school policy?

The law gives school committees final authority to approve the individual school plans:

> *Each school improvement plan shall be submitted to the school committee for review and approval every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed to have been approved.*

A clear and published set of school committee expectations regarding individual school plans can reduce the possibility of disapproved plans.

39. What happens if there is no regularly scheduled school committee meeting within 30 days of the submission of a school improvement plan?

If a school committee fails to take action within 30 **calendar** days, the plan is automatically approved. In order to avoid having to approve an unreviewed plan or schedule a special meeting, school committees should specify in advance the date on which plans must be submitted.

40. Does the superintendent have to approve the school improvement plan?

The law is silent regarding the superintendent's role in the building level school improvement plans. A common sense interpretation is that the superintendent **may** be involved in a prior review and approval of school plans, but he or she does **not have to be.** Because principals are responsible and report to the superintendent, they may be asked to provide

the superintendent with copies of anything they plan to bring before a school committee. In addition, the superintendent may be asked by the committee to do a technical review of the school improvement plans on its behalf.

F. Internal Operations

41. What requirements are councils subject to as a result of their need to comply with the Open Meeting Law?

The law leaves it up to each council to determine its own rules of operation except that "meetings of the school council shall be subject to the provisions of sections twenty-three A, twenty-three B and twenty-three C of chapter thirty-nine." These sections of the Massachusetts Open Meeting Law require councils to:

- Hold all meetings in public and allow anyone in attendance to audio and/or video-tape the proceedings as long as it is not disruptive to the meeting.
- Post a notice of each meeting with the city or town clerk and in a public place at least 48 hours prior to the meeting.
- Keep minutes indicating the date, time, place, members present and absent, and actions taken.
- Adhere to a quorum, which is to be defined as a majority of the council members.

42. How can vacancies be filled?

The law leaves this matter up to the principal to decide "pursuant to a representative process approved by the superintendent and school committee." Several options can be considered. The position can be offered to the highest vote getter of the individuals who were not elected from the relevant constituency group in the most recent election. If that person is not available, the position can be offered to any of the other non-elected candidates. If there are no remaining candidates, the principal may hold a special election to fill the vacancy or ask the sending constituency, e.g., a pto or a faculty council, to recruit one of its members to fill the position temporarily until the next council election. This policy should be clearly defined in the by-laws.

43. Is the council's work stopped if under work-to-rule conditions the teachers on the council stop participating?

No. As long as access is guaranteed, an individual member's or a group's decision not to participate cannot stop the work of the whole council and thus deny other constituencies the opportunity to participate. Under the Open Meeting Law, a quorum for the council is a simple majority of current members, so meetings may be conducted in the absence of one constituency if enough other members attend.

G. Accountability and Oversight

44. What authority do school committees have over school councils?

The relationship between school committees and school councils has a strong potential for reaffirming and strengthening lay governance in public education. The law provides for an explicit oversight role for school committees. School committees have the responsibility to:

- Set district-wide performance standards and educational policies that building level school improvement plans must take into account.
- Review and approve building level school improvement plans.
- Approve a representative process for the election of parent and teacher members of the council.

The intent of the law is to provide for a more participatory style of management at the school building level. School committees need to work with the superintendent and engage the whole community in developing local guidelines that achieve the legislation's intent. School committees can, at their option, develop local guidelines that:

- Define the review process for the school improvement plans.
- Set targets for ethnic representativeness on the council.
- Set the terms of office for council members and set other guidelines for councils that reflect school committees' experience and practice in participatory and inclusive decision making. However, the guidelines cannot impede councils' obligation to fulfill their mandated functions.

- Describe additional elements to be addressed in each school's improvement plan.

Finally, the law does not require, but does enable, school committees to "grant school councils additional authority in the area of educational policy." This practice is encouraged by the Department.

45. Are school council members "public officials" and as such subject to conflict of interest provisions?

Yes. According to the State Ethics Commission's Opinion EC-COI-93-21 (October 19, 1993), school councils are considered municipal agencies and their members, although they serve without compensation, are considered municipal employees for purposes of the conflict of interest law. This provision may be especially relevant to parent and community members of councils who may serve on other municipal agencies, boards and commissions within the community or who may do business with the city or town agencies. Because the circumstances of each case are different, the Department suggests that conflict of interest questions be directed to the State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108. Telephone: (617) 727-0060. FAX: (617) 723-5851.

46. May the school committee adopt local conflict of interest provisions that are more stringent than those contained in state law?

Yes. The conflict of interest law, G.L.c. 268A, specifically provides that municipal agencies are not precluded "from establishing and enforcing additional standards of conduct." Therefore, a school committee may adopt additional standards of conduct. However, such standards must be reasonable and consistent with the purpose and intent of the Education Reform Act.

47. If the school council surveys parents, teachers, or others about issues related to school improvement, are the survey results available to the public?

Yes. Under the Public Records Law, documents made or received by a state or local government agency (including a school council) are "public records," unless they fall within one of the exemptions specified in the law. For example, memos or letters relating to policy positions still being developed by the agency are exempt, but "reasonably completed factual studies or reports on which the development of such policy positions has been or may be based" are public records. The aggregate survey results would be a public record, available to any person upon request.

48. Are the composition, role and functions of the school council subject to collective bargaining?

To the extent that the composition, role, and functions of the school council are defined by statute, those matters are not subject to collective bargaining. For example, the statute specifies the proportion of teachers, parents and other members on the council, and the manner in which teachers are selected. It also defines the role of the council: to meet regularly with the principal and assist in identifying the educational needs of students in the school, reviewing the annual school budget, and formulating the school improvement plan. A school committee may grant a school council additional authority in the area of educational policy, but the statute is clear that school councils shall have no authority over matters that are subject to Chapter 150E, the state law on labor relations and collective bargaining for public employees.

PART THREE: SUGGESTED PRACTICES IN IMPLEMENTING THE LETTER AND SPIRIT OF THE SCHOOL COUNCILS LAW

A. Membership

49. If there is no parent-teacher organization, what are some other ways of ensuring representativeness in the election of parent members on the council?

Developing a process to elect parents to the council in schools that do not have a formal parent-teacher organization can pose a special challenge. In these situations, schools can use the following strategies:

- Request existing parents' groups, e.g., Chapter I Parents Advisory Committees, Bilingual Parents Advisory Committees, and sports and booster clubs, to nominate candidates from among their members; coordinate a run-off election from among these candidates.

- Hold elections at the conclusion or beginning of cultural assembly programs, school plays, open-house nights, or other educational or social events that bring parents into the school.

- Hold "at-large" elections from among the parent body by soliciting nominations through direct mail and school and community newspapers. Request that parents nominate themselves or others for membership on the council. This approach has been highly successful in generating volunteers. In some schools, a mail ballot run-off election has been necessary as there have been more volunteers than seats on the councils.

- Invite all parents to a evening informational meeting at which the school council is explained and parent council members are elected.

- Announce that elections will be held in conjunction with a forum, possibly with a respected guest speaker, on an issue of current concern to parents. Elect parent members at the conclusion of the forum.

50. Should council members serve for fixed terms?

The law indicates that the principal "shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and the school committee." The principal should not be arbitrary and must consider the needs of the school.

There are two major considerations to weigh in regard to the length of council members' terms:

- The value of continuity and experience on the council that is provided by long term membership.

- The value of having fresh perspectives and increased access to council participation that results from a greater turnover of members.

Establishing staggered terms for teachers and parent members of councils will help to accommodate the desire for continuity and expanded access. To create staggered terms, one third of each membership category is elected for terms of one, two, and three years in the initial year of the council. These members can be re-elected for a full term when their term expires. Non-school members that formally represent community organizations can continue to serve at the pleasure of the sending organization.

51. What unique role can the "non-school" community members of the council play?

Community representatives may have areas of special interest, expertise, and connections that can help the school council to be more effective and creative in its approach to school improvement. Community representatives bring a broader community orientation to the council by acting as:

- Resource linkers who establish contacts with community service organizations, other municipal service agencies, and business groups.

- Specialists in technical areas of expertise.

52. What are some ways of recruiting the non-school, community members of councils?

Schools can use several strategies to select the non-school community members:

- The school committee may identify a pool of community leaders and community organization representatives with an interest in working on and supporting school improvement. Schools can select, from this pool, individuals to whom invitations are offered to join the council.

- School committees can provide local guidelines for the identification of community organizations and constituencies from which non-school members of councils could be selected. These organizations and constituencies, which could include higher education, cultural and human service agencies, business, senior citizens, etc., could be invited to recommend individuals who would be interested in serving on councils.

- Schools with contacts with the community, through volunteer and other partnership programs that involve "non-parents" from higher education, business, cultural and human service, or other institutions, can invite these partners to designate representatives to school councils.

B. Decision Making and the Internal Organization of the Council

53. What are some minimal recommendations regarding operating procedures for school councils?

Experience shows that all effectively functioning councils address the following operational issues:

(1) Number and schedule of meetings: A front-end decision about the number and the schedule of meetings will enhance the attendance and participation of council members. Because different schools have different needs and situations, experience has shown it is preferable to allow councils and principals to make their own determinations about the time and frequency of meetings.

Councils have adopted one of two general strategies regarding frequency of meetings:

- Some meet on a regular monthly schedule.

- Others hold regular meetings at the beginning of the school year and then convene on an "as-needed" basis to ratify and bring closure on the recommendations of smaller subcommittees or working groups of the council. Advocates of this approach maintain that it conserves the time and energy of busy people and avoids meeting "for the sake of meeting."

(2) Agenda: Simple written agendas keep meetings focused and provide continuity from meeting to meeting. When publicly posted, agendas can

serve as an invitation for other interested members of the school and community to provide input to the council.

(3) Minutes: Minutes are **required** by the Open Meeting Law and provide continuity from meeting to meeting. Minutes help to keep the larger school community informed about the activity of the council.

(4) Subcommittees: Subcommittees provide for a division of labor and allow different council members to focus on their areas of interest and expertise.

54. Should a council make decisions by consensus or by majority rule?

Both methods are used by councils. A major product of the council is the school improvement plan, which is designed to coordinate the school's resources and unite the efforts of those who care about the education of students. Schools with experience in school-based planning by teams report that it does not make sense to adopt such a plan through a split vote. They recommend consensus decision making.

Consensus decision making, however, can be painstaking and time consuming. Some councils find it useful to adopt a dual-level of decision making: consensus can be used on major issues such as the development of the school plan or the review of the school budget; majority vote can be used on procedural questions and on other less fundamental issues.

55. Does consensus mean unanimity?

No. Consensus is a way of working together that does not necessarily mean unanimity of agreement. Members of a consensus decision making process may disagree with a final decision but yet agree to go along with it. At the heart of the consensus process is the importance of each group member's viewpoint and the full opportunity to express these views. Under a consensus process, it is perfectly acceptable for a member to say, "I disagree with this decision; I've told everyone how I feel and the group has listened. However, I'm willing to support the decision in order to try it out."

The hallmarks of a consensus method are that:

- Council meetings are viewed as problem-solving sessions and not as competitive, win-or-lose events.

- All members have a chance to state their views.

- Periodic "straw polls" are taken to identify the common ground among divergent viewpoints.

- All members are willing to support the majority decision.

56. What are some basic rules that can facilitate shared decision making?

The law contains language such as "assist" or "consult with" the principal. Clearly it envisions that councils will share in decisions that are the formal prerogative of principals, to whom the law has given increased responsibilities for the operational management of the school.

Experience suggests that there are a few basic rules that can turn shared decision making into a collaborative and positive experience.

Rule No. 1: Explicitly state the issue that must be decided and why. Where does the problem originate? What values are at stake if the problem is not addressed?

Rule No. 2: At the outset, communicate clearly who will make the decision and identify any constraints that will affect the scope or content of the decision. The authority to decide and the ability to implement are two different matters. Accordingly, all of the constraints on schools -- budget, staffing, time, pre-existing regulations, and so on -- should be laid out on the table as the group begins its decision-making process.

Rule No. 3: Keep in touch. Communicate formally with all of those involved in the decisions that are being made. "Formal communication" means that a commitment to communicate is explicit and is bound by a timeline. For example, when a council conducts a survey, a needs assessment, or when its members formally consult their constituents, these outreach efforts should culminate in subsequent feedback from the council on how this information was used by the council. In the same spirit, principals, school committees and other school officials who are the recipients of the council's recommendations should agree on a timeline and a format for a response even, and especially, when a recommendation cannot be approved.

C. Representation and Community Outreach

57. How can school councils maximize their representativeness and become more inclusive in their decision making?

"Inclusiveness" refers to a way of doing business that provides for continual

contact between the council and the school and community constituencies it represents. Councils can become more inclusive by:

- Exceeding the requirements of the open meeting law by giving more notice of the time and place than the law requires and by including the agenda in the posted notice.

- Setting aside the last few minutes of each council meeting to develop a preliminary agenda for the next meeting. In this way, council members can informally canvass the thoughts and opinions of the constituents they represent in between meetings.

- Providing for a public comment period at every council meeting. During this period, council members or visiting members of the school and community can bring their issues to the attention of the council. Please note: the ground rules for such sessions should rule out individual grievances (e.g., a parent's complaint about a class placement) and personnel issues requiring confidentiality.

- Establishing subcommittees with extended memberships. An extended subcommittee typically consists of one or two members of the council and other volunteers from the school and community who join the group as resource people or interested parties to work on a specific issue for a finite period of time. Extended committee membership provides an opportunity for involvement for parents, teachers, and community members who do not have the time or interest to serve on a permanent standing committee.

58. How can the school council be coordinated with other councils or advisory committees that exist at the school?

In some schools, the creation of a school council will require discussion and understanding of the council's "boundaries" and how the council interacts with other groups already in existence in the school or the school system. Such coordination will help to ensure that various groups within the school do not exist in isolation from each other, duplicate efforts, or develop conflicting programs.

When groups within a school or a school system collaborate with each other and the school supports rather than hinders this cooperation, it is more likely that common goals will be achieved. Schools can develop several ways for coordinating school councils with existing governing and advisory structures, as the following suggestions indicate:

- Organize the school council as an umbrella organization with non-voting representation from other councils and committees in the school or school districts.

- Develop a system of councils and committees which has overlapping representation for coordination and collaboration of activities.

- Organize the school council as a subcommittee of a larger umbrella group.

- Establish communication among the school council and other existing councils through designated liaison people.

- Involve members of other councils or advisory committees as extended members of specialized subcommittees that advise the school council.

D. Self-Assessment and Improvement

59. What factors can be used to determine that councils have been effective and successful?

There are several indicators that can help councils periodically and informally to assess their functioning. These include:

- Membership: Is the council reasonably representative of the socio-economic and ethnic make-up of the school community?

- Internal functioning: Do council meetings have good attendance? Does the council reach closure on important issues?

- Representativeness and communication: Did the council involve the larger community in its work? Have other members of the school community asked for time to make presentations to or meet with the council? Is the school community aware of the council's "product," i.e., the school improvement plan? How is information about this plan communicated?

- Resource enhancement: Has the council used its outreach ability and the involvement of its community members to establish links with groups that could make potential contributions to improving the school? These contributions could include new perspectives, skills, in-kind contributions of time and knowledge, and material resources.

60. What kind of technical assistance and preparation will councils need?

Ongoing training and technical assistance will be a key ingredient in maximizing school councils' effectiveness.

A. For all council members, some training and orientation will be useful in the following areas:

- An explanation of the state law establishing the councils. This booklet may be a useful resource.
- A basic orientation on the fundamentals of school district operations. These fundamentals could include information on the system's goals and philosophy, constraints placed by federal and state laws and collective bargaining agreements, and laws and policies on who makes the **final** decisions on specific issues.
- A district-specific orientation regarding local expectations for school councils. This could include but not be limited to:
    - Systemwide performance standards and educational policies that need to be reflected in an individual school's improvement goals.
    - School improvement planning formats that mesh building-level and district-wide improvement plans.
    - School committee criteria (if existing) and procedures for the review and approval of each school's improvement plan.
    - The district's budget making process and calendar.
    - Any school committee guidelines for school councils' involvement in "other areas of school policy" as allowed for in the legislation
- A brief overview of the elements of good practice that could be based, in part, on material contained in this booklet.

The above "basic training" and orientation sessions could be included in each council's initial set of meetings or school systems may choose to hold a systemwide orientation meeting for all council members.

B. Councils may also benefit from skill-building on some or all of the following topics:

- Sensitivity training on **"active listening"** for **all** council members. Active listening builds group cohesion and enhances the process of consensus decision making.

- **Council co-chairs** may find it useful to participate in a refresher session on **agenda setting, effective meetings, strategic planning,** and **consensus decision making**.

APPENDIX A:

Statutory Language For School Councils

Chapter 71, Section 59C: *School Councils*

At each public elementary, secondary and independent vocational school in the commonwealth there shall be a school council consisting of the school principal, who shall co-chair the council; parents of students attending the school who shall be selected by the parents of students attending such school who will be chosen in elections held by the local recognized parent teacher organization under the direction of the principal, or if none exists, chosen by a representative process approved by the school committee. Said parents shall have parity with professional personnel on the school councils; teachers who shall be selected by the teachers in such school; other persons, not parents or teachers of students at the school, drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human services agencies or other interested groups, including those from school age child care programs, and for schools containing any of the grades nine to twelve, at least one such student; provided, however, that not more than fifty percent of the council shall be non-school members. The principal, except as otherwise provided herein, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and school committee and for convening the first meeting no later than forty days after the first day of school, at which meeting a co-chairman shall be selected. School councils should be broadly representative of the racial and ethnic diversity of the school building and community. For purposes of this paragraph the term "non-school members" shall mean those members of the council, other than parents, teachers, students and staff of the school.

Nothing contained in this section shall require a new school council to be formed if an existing school council fulfills the intent of this section, the parent and teacher members thereof were selected in a manner consistent with the provisions of this section and the membership thereof complies with the aforesaid fifty percent requirement.

Meetings of the school council shall be subject to the provisions of sections twenty-three A, twenty-three B, and twenty-three C of chapter thirty-nine.

The school council shall meet regularly with the principal of the school and shall assist in the identification of the educational needs of the students attending the school, in the review of the annual school budget, and in the formulation of a school improvement plan, as provided below.

The principal of each school, in consultation with the school council established pursuant to this section shall adopt educational goals for the schools consistent with the goals and standards including the student performance standards, adopted by the board pursuant to section one D of chapter sixty-nine, and consistent with any educational policies established for the district, shall assess the needs of the school in light of those goals, and shall formulate a school improvement plan to advance such goals, to address such needs and to improve student performance. The plan shall include an assessment of the impact of class size on student performance, and shall consider student-to-teacher ratios and other factors and supportive adult resources, and may include a scheduled plan for reducing class size. The plan shall address professional development for the school's professional staff, the allocation of any professional development funds in the annual school budget, the enhancement of parental involvement in the life of the school, safety and discipline, the establishment of a welcoming school environment characterized by tolerance and respect for all groups, extra-curricular activities, the development of means for meeting the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs, within the regular education programs at the school, and such further subjects as the principal, in consultation with the school council, shall consider appropriate. In school districts with language minority student populations the professional development plan under this section shall specify how the plan will address the need for training and skills in second language acquisition and in working with culturally and linguistically diverse student populations. Each school improvement plan shall be submitted to the school committee for review and approval every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed to have been approved.

Nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy; provided, however, that school councils shall have no authority over matters which are subject to chapter one hundred and fifty E of the General Laws.

APPENDIX B:

Chapter 71, Section 37H: ***Publication of School Committee Rules and Regulations Relative to the Conduct of Teachers and Students.***

In each school building containing grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at anytime. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.